

REGULAR MEETING
BOROUGH COUNCIL
BOROUGH OF RUMSON
October 11, 2016

A regular meeting of the Borough Council of the Borough of Rumson was held in the Charles S. Callman Courtroom of Borough Hall on Tuesday, October 11, 2016 at 4:30 p.m.

Pledge of Allegiance.

Present: Mayor Ekdahl, Councilwoman Atwell, Councilmen Broderick, Conklin, Day, Hemphill and Rubin.

Absent: None.

Thomas S. Rogers, Municipal Clerk/Administrator, was present.

Martin M. Barger, Borough Attorney, was present.

David Marks, Borough Engineer, was present.

The Mayor declared a quorum present and announced that the notice requirements of the Open Public Meetings Act had been met by the posting and mailing of a schedule of all regular and work meetings of the Borough Council for the year 2016 to the *Asbury Park Press* and the *Two River Times*.

On motion by Councilman Rubin, seconded by Councilman Hemphill, the minutes of the previous meeting were approved as written, copies having been forwarded to all Council members. All in favor.

COMMUNICATIONS:

LETTER RECEIVED FROM MAHER (MIKE) SIDANI, VICE PRESIDENT/PROJECT MANAGER OF MICHAEL BAKER INTERNATIONAL, INC. REGARDING THE SUBMISSION OF AN APPLICATION FOR AN IN-WATER WATERFRONT DEVELOPMENT INDIVIDUAL PERMIT TO NJDEP TO AUTHORIZE (5) GEOTECHNICAL SOIL BORINGS WITHIN THE NAVESINK RIVER.

The Borough received a letter from Maher (Mike) Sidani, President/Project Manager of Michael Baker International, Inc. stating that an application for an NJDEP In-water Waterfront Development Individual Permit has been submitted by the Monmouth County Division of Engineering and Traffic Safety. Said permit will authorize five (5) geotechnical soil borings within the Navesink River at the Oceanic Bridge. Copies of this application have been provided with the notification letter.

On motion by Councilman Rubin, seconded by Councilman Hemphill, this communication was ordered received. All in favor.

LETTER RECEIVED FROM DOUGLAS RICE OF SPLIT SECOND RACING REQUESTING PERMISSION TO USE VICTORY PARK FOR THE 12TH ANNUAL NAVE-SINK-OR-SWIM 1.2 AND 2.4 MILE SWIM ON MAY 28, 2017.

The Borough received a letter from Douglas Rice of Split Second Racing requesting permission to use Victory Park for the 12th Annual Nave-Sink-or-Swim 1.2 and 2.4 Mile Swim on May 28, 2017. Facility use would begin at approximately 9:30 a.m. Insurance coverage in the amount of \$2,000,000/\$4,000,000 will be obtained and will name the Borough as additional insured.

On motion by Councilman Rubin, seconded by Councilman Hemphill, this communication was ordered received. All in favor.

**LETTER RECEIVED FROM DOUGLAS RICE OF SPLIT SECOND RACING
REQUESTING PERMISSION TO USE VICTORY PARK FOR THE KIDS TRIATHLON
FOR BOB KELLEHER ON JUNE 11, 2017.**

The Borough received a letter from Douglas Rice of Split Second Racing requesting permission to use Victory Park for the Kids Triathlon for Bob Kelleher on June 11, 2017. Facility use would begin at 9:30 a.m. Insurance coverage in the amount of \$2,000,000/\$4,000,000 will be obtained and will name the Borough as additional insured.

On motion by Councilman Day, seconded by Councilwoman Atwell, this communication was ordered received. All in favor.

COMMITTEE REPORTS:

None.

UNFINISHED BUSINESS:

None.

NEW BUSINESS:

**RESOLUTION 2016-1011-128 AUTHORIZING APPOINTMENT OF JOHN ALWINE
AND JESSICA L. HELMSTETTER AS PART TIME POLICE DISPATCHERS.**

2016-1011-128

Councilman Rubin offered the following resolution and moved its adoption:

RESOLUTION

WHEREAS, the Borough of Rumson through its Police Department has the need for Part-time Police Dispatchers; and

WHEREAS, it is believed to be in the best interest of the Borough to employ said Part-time Police Dispatchers on an hourly basis; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Rumson that John Alwine and Jessica L. Helmstetter be hired as Part-time Police Dispatchers at an hourly rate of \$12.00 effective September 26, 2016 ; and

BE IT FURTHER RESOLVED that a certified copy of this Resolution be forwarded to the Payroll Clerk.

Resolution seconded by Councilman Broderick and carried on the following roll call vote:

In the affirmative: Atwell, Broderick, Conklin, Day, Hemphill and Rubin.

In the negative: None.

Absent: None.

**RESOLUTION 2016-1011-129 AUTHORIZING APPOINTMENT OF PAUL J. KEANY
AS SUBSTITUTE CROSSING GUARD FOR 2016-2017 SCHOOL YEAR.**

2016-1011-129

Councilman Hemphill offered the following resolution and moved its adoption:

RESOLUTION

BE IT RESOLVED that the following citizen(s) be appointed as Regular School Crossing Guards and Substitute School Crossing Guards for the 2016-2017 School Year:

SUBSTITUTE

Paul J. Keany

BE IT FURTHER RESOLVED that Regular and Substitute School Crossing Guards shall be paid at a rate of \$31.00 per diem for days worked; and

BE IT FURTHER RESOLVED that certified copies of this Resolution be forwarded to the Chief Financial Officer and Payroll Clerk.

Resolution seconded by Councilman Day and carried on the following roll call vote:

In the affirmative: Atwell, Broderick, Conklin, Day, Hemphill and Rubin.

In the negative: None.

Absent: None.

RESOLUTION 2016-1011-130 AUTHORIZING REDUCTION OF TAX LIEN #15-00001 FOR PROPERTY LOCATED AT 14 BUTTONWOOD LANE, BLOCK 108, LOT 6.01.

2016-1011-130

Councilman Broderick offered the following resolution and moved its adoption:

**RESOLUTION AUTHORIZING REDUCTION OF
TAX LIEN #15-00001**

WHEREAS, at the Municipal Tax Sale held on December 2, 2015, a lien, in the amount of \$35,604.83, was sold on Block 108, Lot 6.01, also known as 14 Buttonwood Lane in Rumson, for 2014 delinquent taxes; and

WHEREAS, the \$35,604.83 lien, known as Tax Sale Certificate #15-00001, sold at a premium of \$210,100, to US BANK CUST BV001 TRST & CRDTRS was made up of the following items:

2014 Tax Principal	\$29,048.29
2014 Tax Interest	\$ 6,406.54
Cost of Sale	\$ 150.00

; and

WHEREAS, on December 2, 2015, there was an appeal pending in NJ Tax Court, Docket No. 007224-2014, for the 2014 property value; and

WHEREAS, on September 9, 2016, the Tax Court of New Jersey entered a judgment reducing the 2014 Assessed Property Value by \$225,500.00; and

WHEREAS, the Borough of Rumson Tax Collector, Helen L. Graves, has been advised by the State of NJ, Division of Taxation, that a Resolution must be adopted authorizing a reduction in the lien that was sold; and

WHEREAS, Helen L. Graves has been further advised that due to the lien reduction a refund, plus statutory interest at a rate of 5.0% per year, must be made to the lien holder; and

WHEREAS, due to the reduction in property value, Helen L. Graves has calculated that the lien should be reduced to \$31,424.24 as follows:

2014 Tax Principal	\$25,559.81
2014 Tax Interest	\$ 5,714.43
Cost of Sale	\$ 150.00

; and

WHEREAS, upon confirmation of no further appeal, the Borough of Rumson Tax Collector, Helen L. Graves, recommends a refund be made on October 25, 2016 in the amount of \$4,180.59 plus 323 days statutory interest in the amount of \$187.55.

NOW, THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Rumson hereby authorize a reduction, totaling \$4,180.59, of Tax Sale Certificate #15-00001 made up as follows:

	FROM	TO	REDUCTION
Principal	\$29,048.29	\$25,559.81	\$3,488.48
Interest	\$ 6,406.54	\$ 5,714.43	\$ 692.11
Cost of Sale	\$ 150.00	\$ 150.00	\$ 0.00
Total	\$35,604.83	\$31,424.24	\$4,180.59

BE IT FURTHER RESOLVED that there is no change in the premium of \$210,100; and

BE IT FURTHER RESOLVED that the Chief Financial Officer is authorized to issue a refund in the amount of \$4,180.59 plus interest in the amount of \$187.55 payable to US BANK CUST BV001 TRST & CRDTRS, 50 South 16th Street, Suite 2050, Philadelphia, PA 19102-2513 for the reduction of Tax Sale Certificate #15-00001; and

BE IT FURTHER RESOLVED that a certified copy of this Resolution be forwarded to the Chief Financial Officer/Tax Collector.

Resolution seconded by Councilman Hemphill and carried on the following roll call vote:

In the affirmative: Atwell, Broderick, Conklin, Day, Hemphill and Rubin.

In the negative: None.

Absent: None.

RESOLUTION 2016-1011-131 ASSESSING A LIEN FOR PROPERTY MAINTENANCE AT 3 HARDING LANE, BLOCK 84, LOT 23.

2016-1011-131

Councilman Rubin offered the following resolution and moved its adoption:

**RESOLUTION ASSESSING A LIEN FOR
PROPERTY MAINTENANCE AT 3 HARDING LANE**

WHEREAS, the Borough of Rumson adopted a property maintenance code for the purpose of protecting the Borough and its residents from the increasing burden of costs incurred by the Borough in maintaining neglected and/or abandoned properties which have become dangerous and detrimental to the life, health, property and safety of its residents; and

WHEREAS, the Code Enforcement Officer notified the Administrator that the property at 3 Harding Lane, also known as Block 84 Lot 23, was found to be in violation of Borough Property Maintenance Codes; and

WHEREAS, the Code Enforcement Officer and Administrator made several attempts to reach a responsible party to clean up the property; and

WHEREAS, the Administrator has determined that it may be necessary to have the Borough hire a contractor to complete the required work; and

WHEREAS, in accordance with the property maintenance code, the costs associated with this work shall be certified to the Tax Collector to be assessed as a lien against the property, such costs to be assessed and levied against the property, the same to bear interest at the same rate as taxes, and shall be collected by the Tax Collector in the same manner as taxes;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Rumson that the Administrator and Tax Collector have the right to place a lien on the property located at 3 Harding Lane to recoup the costs associated with the required work; and

BE IT FURTHER RESOLVED that the Administrator and Code Enforcement Officer notify the homeowner that he has ten (10) days to complete the work required, and, if the work is not completed in that period of time, the Administrator has the authority to hire a firm to clean up the property; and

BE IT FURTHER RESOLVED that the Administrator is hereby directed to forward a certified copy of this resolution to the Chief Financial Officer and Tax Collector; and

BE IT FURTHER RESOLVED that the Administrator shall send a certified copy of this resolution via certified mail to the owner of record of the affected property.

Resolution seconded by Councilman Hemphill and carried on the following roll call vote:

In the affirmative: Atwell, Broderick, Conklin, Day, Hemphill and Rubin.

In the negative: None.

Absent: None.

APPOINTMENTS BY THE MAYOR:

Mayor Ekdahl recommended the appointment of the following residents to their respective Boards and Commissions effective October 11, 2016.

- Jennifer C. Crow as a member of the Environmental Commission to fill an unexpired term ending 12/31/16
- Kristen Rolfes Hall as a member of the Environmental Commission to fill an unexpired term ending 12/31/16
- Thomas Burke Honnold as a member of Shade Tree Commission to fill an unexpired term ending 12/31/17
- Margot S. O'Connor as Advisory member #1 on the Recreation Commission to fill an unexpired term ending 12/31/16
- Dorothy A. Whitehouse as Advisory member #2 on the Recreation Commission to fill an unexpired term ending 12/31/17
- Evette Polczynski as a member of the Board of Health to fill an unexpired term ending 12/31/17

Councilman Hemphill moved that these appointments be confirmed. Motion seconded by Councilman Broderick and carried on the following roll call vote:

In the affirmative: Atwell, Broderick, Conklin, Day, Hemphill and Rubin.

In the negative: None.

Absent: None.

CONSIDERATION OF BILLS AND CLAIMS (RESOLUTION):

Councilman Hemphill offered the following resolution and moved its adoption:

\$	50.00	Kerry Gowan
\$	425.00	Monmouth County SPCA
\$	2.40	NJ Dept Health/Sr Services
	478.82	Red Bank Veterinary Hospital
	19.24	Robert Savoth
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\$	975.46	Animal Control Account
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\$	564.33	Jeffrey R. Surenian & Assoc. LLC
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\$	564.33	COAH Trust Fund
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\$	629.40	Richard & Joann April
\$	102.35	A.R. Communications
\$	1,144.52	Atlantic Coast Fibers, LLC
\$	2,734.97	B&H Foto & Electronics Corp.
\$	19,370.00	Borough of Fair Haven
\$	314.70	Frederic S. Bradley
\$	680.10	William & Dzintra L. Brush
\$	298.00	Buy Now Office Supplies
\$	1,865.60	Campbell Foundry Co.
\$	178.00	Ceunion
\$	629.40	Loretta & Harry Chebookjian
\$	48.12	Circle Chevrolet, Inc.
\$	4,008.00	Coded Systems, LLC
\$	314.70	Mark Conley
\$	1,017.00	Cross Over Networks
\$	314.70	Regina Davidson
\$	253.90	Edwards Tire Company
\$	209.82	Robert Fitzpatrick
\$	511.50	Harden W. Fowler
\$	629.40	James F. & Linda L. Gallagher
\$	926.00	Glenco Supply, Inc.
\$	874.96	Groff Tractor New Jersey, LLC
\$	314.70	John C. Hendricks
\$	1,023.00	Robert & Jane Hoffman
\$	317.40	Barbara M. Hoffman
\$	47.82	Home Depot Credit Services
\$	593.40	Gerald P. & Helen M. Kelly
\$	950.10	Iris O. Kirkpatrick
\$	225.00	Lanigan Associates, Inc.
\$	539.68	Lawes
\$	629.40	Norman & Joanne B. Long
\$	155.00	Mohawk Sign Systems, Inc.
\$	57.92	Monmouth Truck Equipment
\$	629.40	Royal E. & Virginia Moss
\$	314.70	Elizabeth N. Murphy
\$	629.40	M. Patrick & Joseph Murphy
\$	149.11	Naylor's Auto Parts
\$	145.50	Nelson Press
\$	86,507.33	State of NJ Pensions/Active
\$	49,424.73	State of NJ Pensions/Retiree
\$	314.70	James. J. Peluso
\$	350.84	PEP Express Parts

\$	90.00	Professional Gov't Educators
\$	1,738.00	Realty Data Systems, LLC
\$	1,255.51	Republic Services of NJ, LLC
\$	2,000.00	Reussille Law Firm, LLC
\$	14,670.00	Reussille Law Firm, LLC
\$	730.80	Edward Rumolo
\$	1,500.00	Barbara B. Russell
\$	730.80	J. Gary Sammon
\$	629.40	James & Evelyn Scalzo
\$	52.00	Seaboard Welding Supply, Inc.
\$	37.09	Sherwin-Williams Co.
\$	314.70	Joan C. Shea
\$	250.00	State Shorthand Reporting Serv.
\$	1,367.39	Staples Business Advantage
\$	120.33	Stavola Asphalt Co., Inc.
\$	53.68	Michael B. Steib, PA
\$	629.40	James & Pauline Tanner
\$	8,046.00	Treasurer, State of NJ
\$	350.00	Treasurer, State of NJ
\$	140.00	Treasurer, State of NJ
\$	314.70	Joseph E. Tuzik, Sr.
\$	183,614.00	Two Rivers Water
\$	1,500.00	Underpressure H2O LLC
\$	314.70	Lorraine J. Watson
\$	183.68	Watchung Spring Water Co.
\$	680.10	Donald York
\$	314.70	Robert Zerr
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\$	402,001.25	Current Fund
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\$	106.00	US Postal Service
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\$	106.00	Rumson Endowment Fund, Inc.
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\$	1,295.00	Aloha Guides, LLC
\$	210.00	Theodore Montalbano
\$	1,537.50	NJ Wildcats
\$	27.50	Thomas S. Rogers
\$	19,000.00	Rumson Elementary School District
\$	40.37	Mark Wellner
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\$	22,110.37	Recreation Account
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\$	429.00	Michael B. Steib, PA
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\$	429.00	Trust Account
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\$	2,734.97	Current Fund
\$	399,266.28	Current Fund
\$	975.46	Animal Control
\$	106.00	Endowment Disbursements
\$	22,110.37	Recreation Disbursements
\$	993.33	Trust Fund – Other Expenses
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\$	426,186.41	Total Of All Funds

Resolution seconded by Councilman Broderick and carried on the following roll call vote:

In the affirmative: Atwell, Broderick, Conklin, Day, Hemphill and Rubin.

In the negative: None.

Absent: None.

COMMENTS FROM THE COUNCIL:

The Mayor afforded the members of the Council an opportunity to be heard at this time and no one responded.

COMMENTS FROM THE PUBLIC:

The Mayor afforded the public an opportunity to be heard at this time no one responded.

ADJOURNMENT:

On motion by Councilman Rubin, seconded by Councilman Hemphill, the meeting adjourned at 4:36 p.m. All in favor.

Respectfully submitted,

Thomas S. Rogers, R.M.C.
Municipal Clerk/Administrator